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19 Attorney for Plaintiff  
20 AMERICAN GUARANTEE AND LIABILITY  
21 INSURANCE COMPANY

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA

24  
25 AMERICAN GUARANTEE AND  
26 LIABILITY INSURANCE  
27 COMPANY,

Case No.: 10-CV-03009-RS

28 Plaintiff,  
1 v.  
2 LEXINGTON INSURANCE COMPANY,  
3 Defendant.

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5 **STIPULATION OF DISMISSAL;  
6 [PROPOSED] ORDER  
7 [Fed. Rule Civ. Proc., Rule 41(a)(1)]**

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1           **IT IS HEREBY STIPULATED** that Plaintiff American Guarantee and Liability Insurance  
2 Company's claims against Defendant Lexington Insurance Company be **DISMISSED WITH**  
3 **PREJUDICE** pursuant to Federal Rules of Civil Procedure, rule 41(a)(1), each party to bear their  
4 own fees and costs.

5 Date: January 3, 2014

6           **MORALES, FIERRO & REEVES**

7           By: /s/ Christine M. Fierro  
8           CHRISTINE FIERRO  
9           Attorney for Plaintiff  
10           AMERICAN GUARANTEE AND  
11           LIABILITY INSURANCE COMPANY

12 Date: January 3, 2014

13           **HAYES SCOTT BONINO**  
14           **ELLINGSON & McLAY, LLP**

15           By: /s/ Joshua N. Kastan  
16           ROBERT S. McLAY  
17           JOSHUA N. KASTAN  
18           Attorneys for Defendant  
19           LEXINGTON INSURANCE COMPANY

20           **[PROPOSED] ORDER**

21           **IT IS SO ORDERED.**

22 Date: January 3, 2014

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24           \_\_\_\_\_  
25           Hon. Richard Seeborg  
26           United States District Judge